

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Lointier et al.

Examiner: TBD

Serial No.: 10/500,228

Group No.: TBD

Filing Date: June 25, 2004

For: MULTIPLE-POUCH INTRAGASTRIC BALLOON, SURGICAL DEVICE FOR  
EXPANDING SAID BALLOON AND METHOD FOR MAKING SAME**CERTIFICATE OF EXPRESS MAIL**Mail Stop PCT  
Commissioner for Patents  
Office of PCT Legal Administration  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

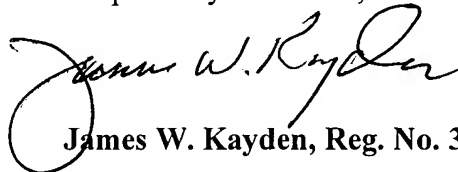
Sir:

Enclosed for filing in the above case are the following documents:

Return Postcard  
Response to Notification of Defective Response  
Individual Declarations of the Inventors

Further, the Commissioner is authorized to charge Deposit Account No. 20-0778 for any additional fees required. The Commissioner is requested to credit any excess fee paid to Deposit Account No. 20-0778.

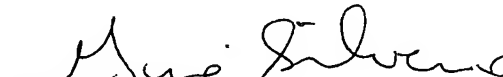
Respectfully submitted,



James W. Kayden, Reg. No. 31,532

**THOMAS, KAYDEN, HORSTEMEYER  
& RISLEY, L.L.P.**100 Galleria Parkway, N.W.  
Suite 1750  
Atlanta, Georgia 30339-5948Our Docket No: **80350-1230**

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I hereby certify that all correspondences listed above are being deposited for delivery to the above addressee, with the United States Postal Service **"EXPRESS MAIL POST OFFICE TO ADDRESSEE"** service under 37 CFR §1.10 on the date indicated below:The envelope has been given U.S. Postal Service "Express Mail Post Office To Addressee" Package # **EV 907933491 US**.Date: September 25, 2006  
Gina Silverio

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of:

LOINTIER, *et al.*

Group Art Unit: TBD

Serial No.: 10/500,228

Examiner: TBD

Filed: June 25, 2004

Docket No. 80350-1230

PCT Application No.: PCT/FR02/04589

Priority Date: December 28, 2001

Int. Filing Date: December 30, 2002

For: **MULTIPLE-POUCH INTRAGASTRIC BALLOON, SURGICAL DEVICE  
FOR EXPANDING SAID BALLOON AND METHOD FOR MAKING SAME**

**RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE**

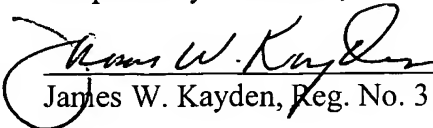
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Office of PCT Legal Administration  
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Alexandria, Virginia 22313-1450

Sir:

In response to the Notification of Defective Response mailed on August 25, 2006, Applicants herewith submit the declarations of the inventors as individual declarations rather than combined into one declaration.

It is not believed that any further fees are required. However, if the Office believes that additional fees may be required, the Office is authorized to charge any deficiency to Deposit Account No. 20-0778.

Respectfully submitted,


  
James W. Kayden, Reg. No. 31,532

**THOMAS, KAYDEN,  
HORSTEMEYER & RISLEY, L.L.P.**

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I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail No. EV 907933491 US, postage prepaid, in an envelope addressed to: Mail Stop PCT (DO/EO/US), Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on

September 25, 2006.

  
Signature



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/500,228	Patrice Henri Lointier	80350-1230

INTERNATIONAL APPLICATION NO.

PCT/FR02/04589

I.A. FILING DATE

12/30/2002

PRIORITY DATE

12/28/2001

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DOCKETED

9/25/06

CONFIRMATION NO. 7480

371 FORMALITIES LETTER



\*OC000000020145100\*

Date Mailed: 08/25/2006

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 06/25/2004
- Copy of the International Search Report filed on 06/25/2004
- Copy of IPE Report filed on 06/25/2004
- Preliminary Amendments filed on 06/25/2004
- Information Disclosure Statements filed on 06/25/2004
- Oath or Declaration filed on 07/10/2006
- U.S. Basic National Fees filed on 06/25/2004
- Priority Documents filed on 06/25/2004

SCANNED

THOMAS KAYDEN  
 HORSTEMEYER & RISLEY, LLP

AUG 30 2006

Applicant's response filed 07/10/2006 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 11/16/2004 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - the declaraton filed on 10 Jul 2006 is defective as discussed in the decision filed on 25 Jul 06

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed

to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/500,228	PCT/FR02/04589	80350-1230

FORM PCT/DO/EO/916 (371 Formalities Notice)